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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**United States of America,**

**Plaintiff,**

**v.**

**Cliven Bundy, et al.,**

**Defendants.**

2:16-CR-46-GMN-PAL

**Proposed Order Unsealing ECF  
Filings**

The United States submits this proposed order identifying the documents the United States agrees can be unsealed in response to the Intervenor, Las Vegas Review-Journal and Battle Born Media, motion to unseal, ECF 3010.

## PROPOSED ORDER

Before the Court is the Intervenor's, Las Vegas Review Journal and Battle Born Media, motion to unseal ECF filings, ECF No. 3010. The Intervenor's divided the filings sought to be unsealed into three tiers – Tiers 1, 2, and 3. As ordered by the Court, the government identified the ECF filings in Tier 1 to which it had no objection to being unsealed, ECF 3214. Based on the government's non-opposition,

IT IS HEREBY ORDERED that the ECF filings identified below shall be unsealed. Some exhibits identified below shall not be unsealed.

ECF	Title
746	Exhibits 3,4,5
758	Motion to Seal and Exhibits 3-4-5, if these exhibits are attached to this motion
759	Notice of Manual Filing (DVD)
1788	Govt. Response in Opposition to Motion in Limine to Exclude Court Orders and Deposition Testimony Payne, ECF No. 1715
1795	Exhibits to Motion for Acquittal, ECF No. 1794
1796	Exhibits to Motion for Acquittal, ECF No. 1794
1810	Sealed Transcript of Jury Trial on 2/14/17
1843	Payne's Reply to Govt. Response in Opposition to Motion in Limine to Exclude Court Orders & Deposition Testimony
1882	Sealed Transcript of Jury Trial Day 1
1916	Payne's Reply to Govt. Response to Motion for Unredacted OIG Report
1931	Govt. Response to Renewed Motion to Dismiss for Destruction of Evidence or in the Alternative for a Remedial Jury Instruction, ECF No. 1878
1936	Exhibits to Motion for Acquittal, ECF No. 1935
1937	Exhibits to Motion for Acquittal, ECF No. 1935
1938	Exhibits to Motion for Acquittal, ECF No. 1935
1939	Exhibits to Motion for Acquittal, ECF No. 1935

1940	Exhibits to Motion for Acquittal, ECF No. 1935
1941	Exhibits to Motion for Acquittal, ECF No. 1935
1942	Exhibits to Motion for Acquittal, ECF No. 1935
1972	Payne's Reply to Govt. Response to ECF No.1878 – Renewed Motion to Dismiss for Destruction of Evidence
2734	Motion for Joinder to Motion to Dismiss, ECF No. 2727
2836	Supplemental Memorandum to Motion to Dismiss, ECF No. 2828, and attached exhibits
2846	Govt. Response in Opposition to Payne's Motion to Dismiss, ECF No. 2727
2848	Motion to Dismiss and Exhibits 1 and 3. <b>Exhibit 2 remains under seal.</b>
2856	Second Motion for Mistrial
2883	Motion to Dismiss Based on Discovery Provided on November 17, 2017, and Exhibits A,B,C,D,E,F,G,I,J,K,L,M,N,O,P,Q <b>Exhibit H remains under seal.</b>
2907	Supplemental Memorandum in Support of Motion to Dismiss and for Mistrial, ECF No. 2856
2914	Response to Motion to Dismiss ECF Nos. 2856, 2833, 2906. <b>Exhibit A remains under seal.</b>
2916	Supplement to Motion to Dismiss, ECF No. 2856
2941	Govt. Notice of Correction re: ECF No. 2914
2954	Sealed Transcript of Jury Trial Day #14
2959	Motion to Dismiss for Continuing Pattern of Brady & Other Discovery Violations and Exhibits A,B,C,D,E,F,H,I,J,K,L <b>Exhibit G remains under seal</b>
2998	Govt. Motion for Leave to File Supplemental Response to ECF No. 2842 Motion to Dismiss
3001	Exhibit No. 1 to Govt. ECF No. 3000
3002	Exhibit No. 2 to Govt. ECF No. 3000
3003	Exhibit No. 3 to Govt. ECF No. 3000 Exhibit No. 4 to Govt. ECF No. 3000 Exhibit No. 5 to Govt. ECF No. 3000
3004	Exhibit No. 6 to Govt. ECF No. 3000, <b>except last page of Exhibit No. 6, bates stamped as GB.020518, remains under seal</b>
3005	Notice of Corrected Image re: Govt. Sur Reply to 2856-2883-2906

3021	Sealed Subpoena Return re: Payne Subpoena #2921
3027	Payne's Reply to Govt. Response to ECF Nos. 2856-2833-2906
3071	Exhibits to 10/23/17 Evidentiary Hearing re ECF No. 2768
3083	Exhibits to Govt. Brief re: Mistrial, ECF No. 3081, and Exhibits 1-5,7-13,15-28 (Exhibits 4, 8, 12, 13, 20, 26 were previously filed publicly) <b>Exhibits 6 and 14 remain under seal</b>
3088	Motion for Joinder to Reply, ECF No. 3060, and Motion to Dismiss, ECF No. 3087

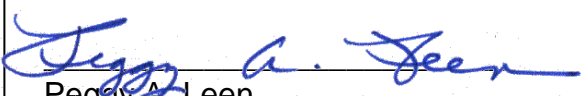
Respectfully submitted,

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**IT IS SO ORDERED** this 3rd day  
of May, 2018.

  
Peggy A. Leen  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the United States Attorney's Office. A copy of the foregoing Proposed Order to Unseal ECF Filings was served upon counsel of record via cm/ecf.

**DATED** this 30th day of April, 2018.

s/Daniel R. Schiess  
DANIEL R. SCHIESS  
Assistant United States Attorney